

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARK LUIS ANTONIO PADILLA,

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER
1:23-CV-11106-GRJ

GARY R. JONES, United States Magistrate Judge:

Pending before the Court is the parties' Stipulation for Allowance of Fees under the Equal Access to Justice Act. (Docket No. 25.) The parties have stipulated that Plaintiff should be awarded nine thousand dollars (\$9,000.00) in attorney's fees under the Equal Access to Justice Act.

Upon due consideration, it is **ORDERED**:

1. Plaintiff is awarded attorney's fees under the EAJA in the amount of **\$9,000.00**. The payment of attorney's fees is subject to any offsetting debt owed by the Plaintiff to the United States. Before the Commissioner shall be obligated to pay the EAJA fees, the Commissioner must determine whether Plaintiff owes a debt to the government. In the event the United States Department of the Treasury determines that

Plaintiff does not owe a federal debt, the Commissioner must then pay the fees directly to Plaintiff's counsel.

Dated: September 12, 2024

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge